

June 24, 1999

SEC. 2. UNSOLICITED LOAN CHECKS PROHIBITED.

(a) IN GENERAL.—Chapter 2 of the Consumer Credit Protection Act (15 U.S.C. 1631 et seq.) is amended by adding at the end the following new section:

"SEC. 140. SOLICITATIONS FOR CONSUMER LOANS.

"(a) 'LIVE' LOAN CHECKS PROHIBITED.—No consumer credit which is otherwise subject to this title may be extended by any creditor through the use of a check or other negotiable instrument which has been sent by the creditor to the consumer in connection with a solicitation by the creditor for such extension of credit, unless the consumer has submitted an application for, or otherwise requested, such extension of credit before receiving the check or instrument.

"(b) CONSUMER NOT LIABLE.—If any creditor includes a check or other negotiable instrument in a solicitation to a consumer for an extension of credit sent by a creditor to a consumer in violation of subsection (a)—

"(1) the consumer shall not be liable for the amount of any such check or other negotiable instrument; and

"(2) no information on any liability of the consumer alleged by the creditor to have been established through such check or other negotiable instrument may be reported to or received by any credit agency (as defined in section 603 of the Fair Credit Reporting Act) or included in any consumer credit report under such Act.

"(c) REGULATIONS.—

"(1) REGULATIONS REQUIRED.—

"(A) IN GENERAL.—Before the end of the 6-month period beginning on the date of the enactment of the Unsolicited Loan Check Consumer Protection Act of 1999, the Board shall prescribe final regulations to implement the requirements of this section.

"(B) MODIFICATIONS.—The Board shall modify and clarify any regulation prescribed under subparagraph (A) whenever the Board determines such action to be necessary to prevent any circumvention of the requirements of this section or to facilitate compliance with such requirements.

"(2) LIMITATIONS ON 'LOOK-ALIKE' CHECKS.—

"(A) REGULATIONS AUTHORIZED.—The Board may, if the Board finds that such action is necessary to prevent confusion by consumers, prescribe regulations setting forth guidelines for the use, in a solicitation for an extension of credit, of certificates, vouchers, or other non-negotiable instruments that are intended to have the appearance of a check or other negotiable instrument, but which do not violate subsection (a) of this section.

"(B) DISCLOSURES AND OTHER REQUIREMENTS.—Any regulation prescribed under subparagraph (A) shall include such disclosures and modifications relating to the appearance and use of certificates, vouchers, or other non-negotiable instruments in a solicitation for an extension of credit as the Board determines necessary or appropriate."

(b) CLERICAL AMENDMENT.—The table of sections for chapter 2 of the Consumer Credit Protection Act is amended by adding at the end the following new item:

"140. Solicitations for consumer loans."

(c) SCOPE OF APPLICATION.—The requirements of this Act and the amendments made by this Act shall apply to solicitations for extensions of credit made to consumers after the date of enactment of this Act.

EXTENSIONS OF REMARKS

IN HONOR OF RICHARD W. POGUE

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 1999

Mr. KUCINICH. Mr. Speaker, I rise today to honor Richard W. Pogue for his outstanding dedication and contribution to public service in Greater Cleveland. Today, Richard joins a select group of individuals by being saluted with the "In Tribute to the Public Service" Award.

Mr. Pogue is a native of Cambridge, Massachusetts and received a BA from Cornell University and a JD from the University of Michigan. Over the years, Pogue has used his expertise and time in a variety of ways. He has been actively involved in the business, education, social services, nonprofit and cultural sectors of our Cleveland community.

Pogue has served in a wide array of organizations, including The Cleveland Foundation, University Hospitals Health System, the Greater Roundtable, Cleveland Institute of Music, Cleveland Bicentennial Commission (Co-chair), and the 1989 Untied Way Cleveland Campaign, which raised about \$52,000,000. In addition, he is the principal organizer of an innovative organization: the Northeast Ohio Regional Business Coalition. As if this was not enough, he currently serves as a Director of Continental Airlines, Inc. (Houston), Derlan Industries Limited (Toronto), M.A. Hanna Company, IT Group, Inc. (Pittsburgh), KeyCorp, LAI Worldwide Inc. (New York City), Rotek incorporated (Aurora) and TRW Inc.

Mr. Pogue's commitment and dedication has not gone unnoticed. Pogue is also recipient of the "Humanitarian Award" from the National Conference of Christians and Jews, the "Excellence in Philanthropy Award" from the Ohio Council of Fund Raising Executives, "Economic Development Leadership Award" from the Council for Urban Economic Development, and "Man of the Year" by Plymouth Church of Shaker Heights, just to name a few.

My fellow colleagues, join me in saluting Richard W. Pogue for his continual commitment to our community. He is a renowned citizen of Cleveland and I am pleased to recognize his accomplishments.

IN TRIBUTE TO BILLY K. HIGGINS

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 1999

Mr. WOLF. Mr. Speaker, I want to pay tribute today to a gentleman I met in my early days in Washington in the 1970's at the Department of the Interior, and whose path I again crossed when I came to Congress.

Billy K. Higgins has worked for more than 25 years to advance our nation's transportation system, first as a congressional liaison officer for the Federal Highway Administration, and since 1977 as the governmental relations director of the American Association of State Highway and Transportation Officials (AASHTO). He has also worked for the Republican National Committee, and the Stand-

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ard Oil Company of Indiana, now Amoco Oil Company.

But for the past 22 years he has represented the state departments of transportation through a period of tremendous change, as the construction of the Interstate system was completed, as the focus of federal transportation interests broadened, and as the world became increasingly dependent on the economic lifeline transportation provides.

He has guided AASHTO through five reauthorizations of the federal-aid highway and transit program, through 22 years of transportation appropriations bills, through the designation of the National Highway System and a host of other transportation legislation. He has always worked closely and fairly with the state departments of transportation, the construction and contracting industries, the National Governors' Association and numerous other organizations representing state and local government interests.

And in all those years, from the first time I ever met Billy, he has been a true model of integrity, honesty, courtesy and compassion. Billy has decided to retire from his full-time duties at AASHTO, but fortunately for those of us in Congress who've had the pleasure to work with him on so many transportation matters, he intends to continue to keep his hand in the legislative process on a part-time basis as a consultant with AASHTO on governmental affairs.

I was honored to be asked to speak at a reception for Billy on Capitol Hill this past Tuesday evening, June 22. One of the most impressive things about that event was that Billy's family was there, too. Billy's greatest joy is his family. He and his wife Nancy have been married for 45 years and have raised a wonderful family including three sons and a daughter, all of whom are married, with their own children, a total of 10 grandchildren for Billy and Nancy. His oldest or "number one" son, as Billy calls him, is Craig Higgins, with his wife Wendy and their two children Kristen and Keith. Next in order is his son Duane Higgins, his wife Cynthia and their four children, Lauren, Michael, Danielle and Samantha. Then there is daughter Marcy, with her husband Bill Davis and their two children, Carter and Paige. His youngest son is Ron Higgins, with his wife Amy and their two children Rebecca and Tim.

I would like to share my prepared remarks at the reception for Billy Higgins and urge all our colleagues who have had the chance to work with Billy to take the opportunity to wish him well.

IN TRIBUTE TO BILLY HIGGINS

Many of you may not know that Billy and I go way back in Washington, all the way back to the 1970's—when our hair was much darker! We worked together at the Department of the Interior. Billy was at the Bureau of Mines and I was with Secretary Rogers C.B. Morton's office.

It was easy to strike up a friendship with Billy because he was such a genuinely nice guy. In describing him, words immediately come to mind such as fair, honest, trustworthy, principled, hard-working, highest moral standards, a man of character.

The first time we met, too, I saw in Billy a quality that hasn't wavered one millimeter over

the years. And that's integrity. A lot of people in this town aspire to be called people of integrity. But along the way there may be a slip here, or a fudge there, and pretty soon, they're compromised and just don't measure up. There's never been a minute in Billy's career when he didn't measure up.

When we walk out the door of whatever business we're in for the last time, all we take with us is our name. Billy Higgins today takes with him his good name—followed by well done, good and faithful servant.

He is truly one of the good guys. He's also one of the most dedicated family men around this town, and it's so good to see his family here this evening. I know how important family is to Billy. I even ran into him a few summers ago on the Outer Banks where he and Nancy and all the kids and grandkids have a tradition of spending vacation time together each year.

And I also know how important faith is to Billy. I have a quotation on my office wall from Dr. James Dobson, which I'd like to share with you because I believe it could very well describe Billy:

"I have concluded that the accumulation of wealth, even if I could achieve it, is an insufficient reason for living. When I reach the end of my days, a moment or two from now, I must look backward on something more meaningful than the pursuit of houses and land and machines and stocks and bonds. Nor is fame of any lasting benefit. I will consider my earthly existence to have been wasted unless I can recall a loving family, a consistent investment in the lives of people, and an earnest attempt to serve the God who made me. Nothing else makes much sense."

That's Billy's legacy.

Billy, I am grateful that our paths in life crossed and have run together for so many years, and I am proud to call you my friend. God bless you.

PERSONAL EXPLANATION

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 1999

Mr. ANDREWS. Mr. Speaker, on roll call numbers 167–169, I was unable to cast my vote. Had I been present, I would have voted Aye on each of them. At the time of the votes, I was proudly attending a ceremony in honor of my wife, Camille Spinello Andrews.

In addition to her tireless dedication as the mother of our two children, Jacquelyn and Josie, Camille serves as the Associate Dean of Enrollment and Projects for Rutgers University School of Law-Camden Campus. Her work in this capacity is well-regarded both by her colleagues and throughout the New Jersey legal community.

On June 7, her excellent work was publicly recognized in a ceremony in which she was awarded the Alfred C. Clapp Distinguished Service Award. Presented by the New Jersey Institute for Continuing Legal Education, this award is an expression of appreciation to legal professionals whose voluntary service has significantly contributed to the field of continuing legal education.

At this ceremony, I was proud to honor Camille with a Congressional Commendation. Proclaiming June 7, 1999 to be Camille Spinello Andrews Day throughout the First Congressional District of New Jersey, this commendation is a small token of the great respect I have for Camille's work. Her service to our community deserves the thanks and gratitude of us all. I am fortunate to love and receive the love of such a special woman.

Balancing the dual responsibilities of public service and family life is always a challenging task. I thank my constituents for their understanding and appreciate the strong support they have given to me and my family.

HONORING CARMEN DIAZ FOR HER LIFETIME DEDICATION TO THE COMMUNITY

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 1999

Ms. VELÁZQUEZ. Mr. Speaker, it is with great pride that I ask you and my colleagues to join me in honoring Ms. Carmen Diaz for her years of leadership and contribution to the communities of the 12th Congressional District.

In 1953 Ms. Diaz came to the United States to fulfill her dream of creating a better life for herself and her family. She began by working hard for \$42 a week as a machine operator in a woman's garment factory. She saved money, and was diligent and with great determination, in 1955 she was able to send for her children in Puerto Rico. With herself and two children to feed she continued to toil. She ensured the children were healthy and that they received an education.

She also took time to further her own education, making the effort to become a bilingual teacher. Once she received her degree, she began teaching bilingual education which she did for eight years.

During this time she became active in the community, working for Community Board 1. She was able to use her experience, education and determination to help other people in the community. Wanting to do more, striving to succeed, she enrolled in Boricua College in Brooklyn. With the same kind of dedication and effort that made her a success, she was able to earn a Bachelor's Degree in Sociology. With that accomplishment, she engaged in increased community work as a social worker.

From that point on, she remained deeply committed to civil service, working hard to help people throughout Brooklyn. She played a key role in many organizations including the Los Sures Senior Center and later in the Diana Jones Senior Center.

She did this kind of work until last year when she became ill and was unable to continue working. Despite the fact that she can no longer work, she still has an impact on our community. The work she does still helps people, but more importantly, she stands as a role model to thousands of people. She truly embodies the American Dream. She is a great woman and a great American, and I urge my colleagues to join me in honoring her.

A TRIBUTE TO HONOR OF THE 175TH ANNIVERSARY OF THE CITY OF TECUMSEH

HON. NICK SMITH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 1999

Mr. SMITH of Michigan. Mr. Speaker, on June 25, 1999 the city of Tecumseh will celebrate its 175th anniversary. Tecumseh has a long and rich history dating back to 1824, when Musgrove Evans, Joseph Brown and Austin Wing founded the town making Tecumseh one of the first three settlements in the Michigan Territory along with Detroit and Monroe.

Tecumseh shares its unique name with the Shawnee Chief Tecumseh, who used the site as a meeting place for local Indian tribes and war councils in his effort to form a unified Indian nation.

The residents of Tecumseh have always been civic-minded and concerned with the conditions of their fellow man. Prior to the Civil War Tecumseh, along with several other communities in Lenawee County, was a common transit point for slaves seeking freedom along with the Underground Railroad.

While maintaining its distinctive small town atmosphere and agricultural roots, Tecumseh has been home to a multi-national Fortune 500 company, Tecumseh Products Inc., since 1934.

It is a testament to the perseverance and faith of her residents that Tecumseh has prospered for so long. I am proud of the city of Tecumseh and what its residents have accomplished over the last 175 years and I wish them another successful 175 years. I am proud to represent Tecumseh and offer them my heartfelt congratulations on this truly remarkable milestone.

VICRYL SUTURES

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 1999

Mr. STARK. Mr. Speaker, on May 20 of this year I commented on the 1994 recall of Vicryl sutures produced by the Ethicon Corporation. In my comments, I noted that according to FDA records, only 2% of the sutures were recovered in the recall. The numbers given to me by the FDA were incorrect. In fact, approximately 25% of the sutures were recovered in the recall. I include a letter from Melinda K. Plaisier, Interim Associated Commissioner for Legislative Affairs, describing the cause of the error and the correct facts.

FOOD AND DRUG ADMINISTRATION,
Rockville, MD, May 28, 1999.

Hon. PETE STARK,
House of Representatives, Washington, DC.

DEAR MR. STARK: In the Food and Drug Administration's (FDA) May 18, 1999 letter of response to your April 19, 1999 letter regarding the distribution and recall of Vicryl sutures manufactured by Ethicon, Inc., there was a mistake. This letter is intended to correct that mistake. A response has also been